

**NATIONAL CENTER ON
SEXUAL EXPLOITATION**

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**Admitted Pro Hac Vice*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOHN DOE #1 AND JOHN DOE #2,

Plaintiffs,

vs.

TWITTER, INC.,

Defendant.

Case No. 3:21-cv-00485-JCS

**DECLARATION OF PETER A. GENTALA
IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANT'S MOTION
TO ENLARGE TIME TO RESPOND TO
DISCOVERY REQUESTS**

Judge: Honorable Joseph C. Spero

1 I, Peter A. Gentala, declare as follows:

2 1. I am an attorney licensed to practice law in the State of Arizona and appearing by
3 leave of court *pro hac vice* in this matter. I am Senior Legal Counsel at the National Center on
4 Sexual Exploitation and counsel of record for Plaintiffs John Doe #1 and John Doe #2.
5

6 2. I make this declaration based on my knowledge of this matter and information I
7 obtained following a reasonable investigation of the events described below. If called as a witness,
8 I could and would testify competently to the matters stated herein.
9

10 3. This action was filed on January 20, 2021, with a single Plaintiff, John Doe #1.
11 On April 7, 2021, Plaintiffs filed an amended complaint adding a second Plaintiff, John Doe #2.

12 4. The parties agreed, without filing a formal stipulation, that discovery in this case
13 would not move forward until the Court ruled on Plaintiffs' Motion to Dismiss the First Amended
14 Complaint ("MTD").
15

16 5. Plaintiffs filed their MTD on May 7, 2021. (ECF No. 48.) After being fully briefed,
17 the MTD was argued before the Court on August 6, 2021. (ECF No. 68.) This Court filed its
18 Order Granting in Part and Denying Defendant's Motion to Dismiss the FAC ("MTD Order") on
19 August 19, 2021. (ECF No. 69.)
20

21 6. Since the Court issued its MTD Order, Plaintiffs have opposed any of stay of
22 discovery. Plaintiffs served their First Set of Combined Discovery Requests ("Discovery
23 Requests") on Twitter on October 4, 2021.

24 7. After entry of the Court's MTD Order, counsel for Twitter informed Plaintiffs'
25 counsel of their intent to file a Motion for Reconsideration, or in the Alternative, Request for an
26 Interlocutory Appeal ("Motion for Reconsideration"). Counsel for Plaintiffs indicated that they
27 would submit their Opposition to the Motion for Reconsideration by the regular deadline for an
28

1 opposition under the Civil Local Rules. Counsel for Twitter requested that Plaintiffs' counsel
 2 stipulate to an extension of time to file its Reply to accommodate their trial schedule, and counsel
 3 for Plaintiffs agreed to do so. The Stipulation setting a briefing schedule for Twitter's Motion
 4 for Reconsideration was filed on September 9, 2021, and signed by the Court the following day.
 5 (ECF Nos. 76-7.)
 6

7 8. Twitter filed a Motion to Stay Discovery on October 15, 2021
 8 (ECF No. 81) and an Administrative Motion to Enlarge Time to Respond to Discovery Requests
 9 ("Mtn. to Enlarge Time") on October 18th, 2021.
 10

11 9. After Twitter filed its Mtn. to Enlarge Time, counsel for Plaintiffs reached out to
 12 counsel for Twitter to see if a compromise was possible that would allow a partial response to
 13 Plaintiffs' Discovery Requests by the regular deadline under the Rules. Counsel for Twitter
 14 responded that engaging in discovery was inappropriate until the issues in the request for
 15 reconsideration or interlocutory appeal were finally settled.
 16

17 I declare under penalty of perjury that the foregoing is true and correct. This Declaration
 18 was executed on October 22, 2021 in Gilbert, Arizona.
 19

20 /s/ Peter A. Gentala

21 Peter A. Gentala
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